

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

_____)	
UNITED STATES OF AMERICA)	
)	
V.)	CR. NO. 13-cr-00142-PB
)	
JOHNATHON IRISH)	
)	
_____)	

DEFENDANT’S ASSENTED TO MOTION TO CONTINUE

The defendant requests that this Court issue an order continuing the trial in this case from the two week period beginning May 6, 2014 for at least 60 days. Grounds follow:

The defendant has been charged with two counts of making a false statement to a federal agent in violation of 18 U.S.C. § 1001; one count of aiding and abetting the making of a false statement in connection with the acquisition of a firearm in violation of 18 U.S.C. §§ 2 and 922; one count of engaging in the business of dealing in firearms without a license in violation of 18 U.S.C. § 922(a)(1)(A); and one count of possession of a firearm by a regular user of a controlled substance in violation of 18 U.S.C. § 922(g)(3). The first scheduled trial date is February 4, 2014.

On Friday, January 10, 2014 initial discovery was made available at the US Attorneys Office. On, Monday, January 13, 2014, the defendant received and began reviewing the initial discovery. The discovery includes approximately 2740 pages of documents. It also includes 61 additional discs which contain hundreds of video and

audio recordings. The defendant filed a motion to continue for 90 days in order to have sufficient time to review all of the discovery material, and the case was continued to May 6, 2014.

The defendant continues to receive discovery. He has also filed a request for a Rule 17(c) subpoena. That motion was tentatively denied by the Court, and the defendant is now seeking that information through cooperation with the government. It is expected that the government will obtain that information for the defendant in the near future. In order to adequately prepare for trial another continuance will be necessary.

The defendant has filed a Motion to Dismiss based upon improper infringement of the defendant's Second Amendment rights. That motion will need to be litigated prior to trial.

Recently, and for the first time, there has developed at least some likelihood that the case may be resolved through a negotiated disposition. Given the fact that trying this case would require a tremendous expenditure of resources by both sides, and that it presents numerous complex legal issues, the idea of a negotiated disposition should be thoroughly explored.

US Attorney John Kacavas and AUSA Nicholas Abramson have no objection to this motion.

The defendant agrees to waive his right to speedy trial with respect to any delay caused by the granting of this motion. A fully executed waiver will be forthcoming under a separate heading.

No memorandum of law is necessary to the resolution of the issues raised herein.

WHEREFORE the defendant requests that this Court issue an Order continuing the trial in this case from the two week period beginning May 6, 2014 for at least 60 days.

Respectfully submitted,
Johnathon Irish
By His Attorney,

Date: April 7, 2014

/s/ Jonathan R. Saxe
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CERTIFICATE OF SERVICE

I hereby certify that the above document was served on the following persons on April 7, 2014, and in the manner specified herein: electronically served through ECF to AUSA Nicholas Abramson and US Attorney John Kacavas.

/s/ Jonathan R. Saxe
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